



Order Filed on February 26, 2019
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U.S. Bankruptcy Court
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-2(c)

CGG 18-023264
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ATTORNEYS FOR BANK OF AMERICA, N.A.

IN RE:

FELIPE FERNANDEZ, DEBTOR

CASE NO.: 18-21446-MBK

HEARING DATE: JANUARY 22, 2019

JUDGE: HONORABLE MICHAEL B.
KAPLAN

ORDER RESOLVING MOTION TO VACATE STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

DATED: February 26, 2019

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

This matter being opened to the Court by Shapiro & DeNardo, LLC, Attorneys for Bank of America, N.A., hereinafter "Secured Creditor," upon the filing of a Notice of Motion for an Order Vacating Stay in a Chapter 13 Case for failure of the Debtor to make payments on a post-petition mortgage obligation and due notice of said Motion and the supporting Certification having been given by mail to the Trustee, the Debtor and the attorney for the Debtor, if any AND CONSENT OF THE PARTIES APPEARING HEREON and for good cause shown,

1. Debtor is currently delinquent in post-petition payments for the months of October 1, 2018 through January 1, 2019 in the total amount of \$10,244.68, less a suspense of \$116.49, for a total amount of \$10,128.19.
2. To cure the aforementioned default, Debtor agrees to apply for a Loan Modification within the Court's Loss Mitigation Program. Secured Creditor and Debtor agree this loan modification review shall conclude by April 30, 2019; or as otherwise extended by Order.
3. During this loan modification review, starting February 1, 2019, Debtor will remit monthly adequate protection payments in the amount of \$1,863.78 to Secured Creditor.
4. If a loan modification is not offered by the effective date referenced in Paragraph Two (2), Debtor must within fourteen (14) days of receipt of the denial; 1) modify the Chapter 13 Plan to fully cure Secured Creditor's pre-petition and post-petition arrearages, 2) modify the Chapter 13 Plan to surrender the subject property, or 3) Convert to a Chapter 7 case.
5. Debtor shall reimburse Secured Creditor \$350.00 in attorney fees and \$181.00 in court costs through the remaining Chapter 13 Plan. The Trustee shall amend his records to reflect same.
6. Payments should be submitted to the Secured Creditor via Certified Check to the below address:

Carrington Mortgage Services, LLC
P.O Box 3730
Anaheim, CA 92806

7. If the Debtor(s) fails to make any payments detailed in this Consent Order within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by submitting a Certification of Default to the Bankruptcy Court, specifying the Debtor(s) failure to comply with this Consent Order, with a copy of any application, supporting certification, and proposed Order to be served on the Chapter 13 Standing Trustee, Debtor(s) Counsel and Debtor(s) as required by the local bankruptcy rules.